

VLADECK, WALDMAN, ELIAS & ENGELHARD, P.C.
COUNSELORS AT LAW
1501 BROADWAY
NEW YORK, N.Y. 10036
TEL 212/403-7300
FAX 212/221-3172

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 8/6/08

ANNE L. CLARK



WRITER'S DIRECT DIAL
403-7332

August 5, 2008

BY FAX

Honorable P. Kevin Castel
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Kathleen Cully v. CIFG Holding, et al.
07 Civ. 8195 (PKC)

Dear Judge Castel:

We represent the plaintiff in the above-captioned case and write on behalf of all parties to respectfully request that the filing of the Joint Pre-Trial Order and other pre-trial submissions be postponed. The parties previously asked for three extensions of the discovery deadline, which were granted. The parties have completed fact discovery other than some document follow up and the dispute before the Court.

Pursuant to the Civil Case Management Plan and Scheduling Order, as amended, the Joint Pre-Trial Order, *in limine* motions, and proposed jury instructions, voir dire and verdict form, are due on September 2, 2008. There are three matters that could affect the pre-trial submissions: (1) plaintiff has raised a few discovery issues, which will be fully briefed on September 3, 2008; (2) defendants' partial motion to dismiss (relating to the 2003 Stock Option Plan) is pending; and (3) the parties intend to submit letters requesting a pre-motion conference on cross-motions for summary judgment. The resolution of these issues has the potential to greatly alter several of the pre-trial submissions.

The parties therefore respectfully request that the filing of all pre-trial submissions be delayed until thirty days after the last of the above-listed issues is resolved.

Respectfully submitted,

Anne L. Clark

ALC:ji

cc: Kenneth J. Kelly, Esq. (by fax)
Alan Arkin, Esq. (by fax)

253550 v1

*Time for filing
JPTO, in limine
motions, jury instructions
and other pre-trial
submissions are
held in abeyance.
Please for a
joint letter
to
Chambers
advising
the
Court
as to
the
status
of
discussions
(without disclosing)
submit motions.
Joint letter due
August 22.
SO ORDERED
USDS
8-5-08*